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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/045,346	10/23/2001	Prathima Agrawal	1459-US	1318

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EXAMINER

MEHRPOUR, NAGHMEH

ART UNIT PAPER NUMBER

2686

DATE MAILED: 04/22/2004

14

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/045,346

Applicant(s)

PRATHIMA AGRAWAL ET AL.

Examiner

Naghmeh Mehrpour

Art Unit

2686

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 02 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-3,5-8,10-14,16-20 and 22-24 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-3,5-8,10-14,16-20 and 22-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. As a result of applicant's submission of terminal disclaimer, and request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-3, 10-14, 16-20, 22**, are rejected under 35 U.S.C. 102(e) as being anticipated by Wenk et al. (.US Patent 6,253,088 B1)

Regarding **Claim 1**, Wenk teaches a system for enabling a telephone subscriber to switch an on going telephone call between wireline services provided through a central office in the public switched telephone network and cellular services provided by a mobile switching center in a cellular network (see figure 1, col 3 lines 6-21), **the subscriber wireline and cellular telephone being assigned different telephone numbers (col 4 lines 60-67, col 5 lines 1-5)**, said system comprising:

a routing table located in HLR identifying specific telephone subscribers entitled to switch telephone calls between wireline and wireless services (See figure 1, col 4 lines 56-67, col 5 lines 1-5),

Art Unit: 2686

a look-up table that conventionally located in personal base station 18 identifying the correspondence of said one specific telephone subscriber's wire line and a look-up table conventionally locate on HLR 38 to identify cellular telephones **numbers** (see figure 1, col 4 lines 60-65),

a monitor circuit 22 responsive to a unique signal during (col 4 lines 59-67, col 5 lines 1-5) from one specific telephone subscriber (from personal station 18 a signal initiates to authorization and call routing equipment ACRE 22) indicating a desired transfer between said one specific telephone subscriber's wireline and cellular telephones (col 4 lines 29-36 lines 47-56), and

switch means for effecting the transfer of **the on-going telephone call** (col 4 lines 47-65). Wenk teaches a registration message provides by personal base station 18 to ACRE 32, includes identification number MIN of the subscriber terminal 10, and request ACRE 22 to configure the mobile wireless network to route all cellular calls intended for subscriber 10 to the landline phone number associated with personal base station 18. The ACRE 22 then emulates a VLR and originates a registration notification to a HLR 38 of the personal base station 18, the HLR 38 query the ACRE 22 for rerouting information. The rerouting information will specify that calls intended for the subscriber terminal 10 be routed to the telephone number assigned to the personal base station (col 4 lines 47-65, col 6 lines 3-29). Therefore, the rerouting switches the route and transfers the calls. As soon as the subscriber initiating the call the call is on-going. Regarding **Claim 2**, Wenk teaches a system for enabling a telephone subscriber to switch an on-going telephone call between wireline services provided through a central office in the public switched telephone network PSTN and cellular services provided by a mobile switching center

Art Unit: 2686

MSC in a cellular network (col 5 lines 15-31), wherein the corresponding of the specific subscriber's wireless and cellular **telephone numbers** are contained in a look up table is in said mobile switching center (col 4 lines 56-67, col 5 lines 1-5).

Regarding **Claims 3, 19-20**, Wenk teaches a system for enabling a telephone subscriber to switch an on-going telephone call between wireline services provided through a central office PSTN in the public switched network and cellular service provided by a mobile switching center 14 in a cellular network (col 3 lines 1-6) comprising:

authorization and call routing a fixed cellular mobility agent (ACRE 22, see figure 1, col 4 lines 5-9, lines 26-41) associated with said mobile switching center 14, wherein

said routing table is in said central office 14 (col 4 lines 38-46), an incoming call to one of said specific telephone subscribers 10 being routed to said fixed cellular mobility agent (ACRE 22) in response to an output of said routing table **when the incoming call is addresses to the one subscriber's third number** (Located in HLR 38, col 4 lines 58-65); and

said fixed mobility agent 22 obtaining from the look up table the one subscriber's cellular mobility telephone number (col 4 lines 58-65);

said look up table (col 4 lines 30-41, lines 51-56), the monitor circuit 22, and the switch means are in the fixed cellular mobility agent (ACRE22)(col 4 lines 62-67).

Regarding **Claim 10**, Wenk teaches a system for enabling a telephone subscriber to switch a telephone call between wireline services provided through a central office in the public switched telephone network and cellular services provided by a mobile switching center in a cellular network (col 4 lines 16-21), the subscriber wireline and cellular telephone being assigned different telephone numbers (col 4 lines 60-67, col 5 lines 1-5), said system comprising:

Art Unit: 2686

establishing a call connection to the one of the subscriber telephones (col 4 lines 29-36, lines 47-56);

monitoring a call connection to a subscriber entitled to switch calls between that subscriber's wireline and cellular telephones to detect a request signal for such a transfer (col 4 lines 47-56);

obtaining the telephone number of that one the subscriber's wireline and cellular telephone call (col 4 lines 56-67 col 5 lines 1-5); and
responsive to a signal from the subscriber during the connection to one of the subscriber's telephone, switching the telephone call to the one of the subscriber's wireline or cellular telephones and terminating the connection to the other subscriber's wireline or cellular telephones (col 5 lines 1-5).

Regarding **Claims 11, 18**, Wenk teaches a method in accordance wherein the enabling step is performed by the mobile switching center (col 3 lines 65-67, col 4 lines 1-14).

Regarding **Claim 12**, Wenk teaches a method the connection to the subscriber is through a fixed cellular mobility agent (ACRE 22) and the monitoring step alerts the fixed cellular mobility agent (ACRE 22) to the request (col 4 lines 47-50).

Regarding **Claim 13**, Wenk teaches a method wherein the establishing, switching and terminating steps are performed by the fixed cellular mobility agent 22 (col 4 lines 46-65).

Regarding **Claim 14**, Wenk teaches a system for enabling a telephone subscriber to switch telephone call between wireline services provided through a central office PSTN in the public switched network and cellular service provided by a mobile switching center 14 in a cellular network (col 3 lines 6-21), comprising:

Art Unit: 2686

fixed cellular mobility agent (ACRE 22) having the functionality of a central office and coupled to the mobile switching center, and fixed cellular mobility agent (ACRE 22) (col 4 lines 30-41, lines 58-65) comprising:

means for establishing a connection (col 4 lines 23-30);

means for monitoring and detecting a request from the one subscriber **during the connection** to transfer the call connection to the other of the subscriber's wireline or cellular telephone (col 4 lines 59-62); and

means for switching the connection in response to the request (col 4 lines 47-65, col 6 lines 3-29).

Regarding **Claim 16**, Wenk teaches a system for enabling a telephone subscriber to switch an on-going telephone call between wireline and cellular telephones to the other of the subscriber's telephones, **the subscriber wireline and cellular telephone being assigned different telephone numbers**, the method (col 4 lines 59-67, col 5 lines 1-5), comprising:

monitoring a call connection to one of the subscriber's telephone to detect a request by the subscriber to switch connection between the subscriber's telephones (col 4 lines 47-62);

obtaining the telephone number of the other of the subscriber's telephones (col 4 lines 62-65);

initiating an outgoing call from the other of the subscriber's telephones (col 4 lines 29-30);

establishing a connection to the other subscriber's telephones (col 4 lines 30-36); and

bridging the connections to the one and the other of the subscriber's telephones and terminating the connection to the one of the subscriber's telephones (col 4 lines 59-67, col 5 lines

Art Unit: 2686

1-14). Wenk teaches message registration provides by personal base station 18 to ACRE 32, includes identification number MIN of the subscriber terminal 10, and request ACRE 22 to configure the mobile wireless network to route all cellular calls intended for subscriber 10 to the landline phone number associated with personal base station 18. The ACRE 22 then emulates a VLR and originates a registration notification to a HLR 38 of the personal base station 18, the HLR 38 query the ACRE 22 for rerouting information. The rerouting information will specify that calls intended for the subscriber terminal 10 be routed to the telephone number assigned to the personal base station (col 4 lines 47-65, col 6 lines 3-29).

Regarding **Claim 17**, Wenk teaches a method wherein comprising:

alerting a mobile switching center in a cellular network of the detection of the request by the monitoring 22 step (col 8 lines 65-67, col 9 lines 1-2); and
wherein the initiating step is effected by the mobile switching center (col 9 lines 1-4).

Regarding **Claim 22**, Wenk teaches a method a system/method in accordance wherein the look-up table identifies the correspondence between the one telephone subscriber's wireline telephone number, the cellular telephone number, and a third number (col 4 line 65) for calls to the one subscriber's cellular telephone than can be transferred during the on-going telephone call to the one subscriber's fixed telephone (col 4 lines 62-65).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 5-8, 23-24**, are rejected under 35 U.S.C. 103(a) as being unpatentable over Wenk et al.(US Patent Number 6,253,088 B1) in view of Brachman et al. (US Patent Number 6,374,102 B1).

Regarding **Claim 5**, Wenk teaches a system for enabling a telephone subscriber to switch an on-going telephone call between wireline services provided through a central office PSTN in the public switched network and cellular service provided by a mobile switching center 14 in a cellular network (col 3 lines 1-6). Wenk teaches identifying a routing table in the central office specific telephone subscribers entitled to switch telephone calls between wireline and cellular services (See figure 1, col 4 lines 56-67, col 5 lines 1-5);

identifying in a routing table in the central office specific telephone subscribers entitled to switch telephone calls between wireline and cellular services (see figure 1, col 4 lines 56-67, col 5 lines 1-5);

providing a correspondence between the specific subscriber's wireline and cellular telephone numbers (col 4 lines 56-67, col 5 lines 1-5);

monitoring a signal from one of the specific telephone subscribers initiate a transfer between the subscriber's wireline and cellular telephones (col 4 lines 4 lines 47-65, col 6 lines 3-29); and

enabling a switch to affect the transfer in response to the **monitored signal (col 4 lines 59-67, col 5 lines 1-5)**. Wenk teaches a method of message registration provides by personal base station 18 to ACRE 32, includes identification number MIN of the subscriber terminal 10, and request ACRE 22 to configure the mobile wireless network to route all cellular calls intended for subscriber 10 to the landline phone number associated with personal base station 18.

Art Unit: 2686

The ACRE 22 then emulates a VLR and originates a registration notification to a HLR 38 of the personal base station 18, the HLR 38 query the ACRE 22 for rerouting information. The rerouting information will specify that calls intended for the subscriber terminal 10 be routed to the telephone number assigned to the personal base station (col 4 lines 47-65, col 6 lines 3-29). Therefore, the calls are rerouted and transfers to the different numbers. Wenk fails to specifically mention that the monitor circuit 22 responsive to a unique signal during **the existence of on-going telephone call telephone call involving the specific subscriber** from one specific telephone subscriber. However Brachman teaches a monitor circuit 103 responsive to a unique signal during **the existence of on-going telephone call telephone call involving the specific subscriber** from one specific telephone subscriber (**col 48 lines 59-66**). Therefore, it would have been obvious to ordinary skill in the art at the time the invention is made to combine the above teaching of Brachman with Wenk, in order to provide the mobile user with ability to interactively place an incoming call on hold in real time without first answering the call, and to pickup call sometimes in near future.

Regarding **Claims 6, 8**, Wenk teaches a system for enabling a telephone subscriber to switch an on-going telephone call between wireline services provided through a central office in the public switched telephone network PSTN and cellular services provided by a mobile switching center MSC in a cellular network (col 5 lines 15-31), wherein the corresponding of the specific subscriber's wireless and cellular **telephone numbers** are contained in a look up table is in said mobile switching center(col 4 lines 56-67, col 5 lines 1-5).

Regarding **Claims 7**, Wenk teaches a method in accordance wherein the enabling step is performed by the mobile switching center (col 3 lines 65-67, col 4 lines 1-14).

Art Unit: 2686

Regarding **Claim 23**, Wenk teaches a method a system/method in accordance wherein the look-up table identifies the correspondence between the one telephone subscriber's wireline telephone number, the cellular telephone number, and a third number (col 4 line 65) for calls to the one subscriber's cellular telephone than can be transferred during the on-going telephone call to the one subscriber's fixed telephone (col 4 lines 62-65).

Regarding **Claim 24**, Wenk fails to teach a method comprising the step of when a call is being initiated by a subscriber entitled to transfer ongoing telephone calls between the subscriber's wireline and cellular telephones, of dialing a prescribed access code prior to dialing an outgoing number from either the subscriber's wireline or cellular telephone, the access code directing the outgoing call to be routed to the fixed cellular mobility agent. However, Brachman teaches a method comprising the step of when a call is being initiated by a subscriber entitled to transfer ongoing telephone calls between the subscriber's wireline and cellular telephones, of dialing a prescribed access code prior to dialing an outgoing number (col 49 line 3) from either the subscriber's wireline or cellular telephone, the access code directing the outgoing call to be routed to the fixed cellular mobility agent (col 48 lines 59-67, col 49 lines 1-14). Therefore, it would have been obvious to ordinary skill in the art at the time the invention is made to combine the above teaching of Brachman with Wenk, in order to provide the mobile use a key sequence which instructs to complete the call transfer.

Response to Arguments

6. Applicant's arguments with respect to claims 5-8, 23-24, have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Art Unit: 2686

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. **Any responses to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for formal communications indented for entry)

Or:

(703) 308-6306, (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II. 2121 Crystal Drive, Arlington. Va., sixth Floor (Receptionist).

Art Unit: 2686

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Melody Mehrpour whose telephone number is (703) 308-7159. The examiner can normally be reached on Monday through Thursday (first week of bi-week) and Monday through Friday (second week of bi-week) from 6:30 a.m. to 5:00 p.m.

If attempt to reach the examiner are unsuccessful the examiner's supervisor, Marsha Banks-Harold be reached (703)305-4379.

NM

April 12, 2004

Marsha D. Banks-Harold
MARSHA D. BANKS-HAROLD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600